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IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Title of Invention: Folding Framing Square

Application Number: 10/783,602

Filing Date or 371(c) Date: February 20, 2004

Name: Jerome P. Frankowiak

Citizenship: U.S.A.

Residence: 8809 Burnside Rd.

Brown City, MI 48416

**PETITION FOR REVIEW OF NOTICE OF INCOMPLETE NONPROVISIONAL
APPLICATION, TO ACCORD A FILING DATE OF FEBRUARY 20, 2004 AND FOR
RETURN OF PETITION FEE**

Petitioner, Jerome P. Frankowiak, states as follows:

1. On February 20, 2004 a fully executed patent application for a Folding Framing Square was delivered to a branch of the United States Post Office located in Utica, Michigan for express mail delivery to the Commissioner for Patents.
2. The express mail label number was EU133160405US. See attached.
3. A copy of the filed application is enclosed (with the exception of IDS citations).

12/13/2004 CNGUYEN 00000055 10783602

01 FC:1999

130.00 OP

4. The application included 18 pages of specification, 16 claims, 5 drawing sheets, an executed declaration, an information disclosure statement & references, a power of attorney form, a small entity statement and a filing fee check in the amount of \$385. The attached return receipt postcard corroborates that these items were received by the patent office.
5. Also attached is a Post Office receipt showing the label number and the fact that the package sent weighed 8.8 ounces. The weight of the package corroborates the fact that it included the 18 page specification and attached declaration.
6. On October 4, 2004 the patent office mailed to the applicant a Notice of Incomplete Non Provisional Application. That notice indicated that the specification and declaration were missing. See attached notice. The specification and declaration were in fact sent to the patent office on February 20, 2004 and appear to have been received by the patent office as indicated by the return postcard.
7. A review of the patent office records shows that the patent office acknowledges receipt of all of the documents sent except the specification and declaration.
8. The patent application transmittal form (contained within the enclosed application documents) contains the proper express mail label number and shows that the 18 page specification and two sheet declaration were sent to the patent office by express mail.
9. The enclosed 18 page specification and two page executed declaration were sent by express mail to the United States patent office on February 20, 2004. The attached copies of the express mail mailing label, the return postcard receipt and the attached Post Office cash register receipt are true copies of the originally mailed correspondence, the original

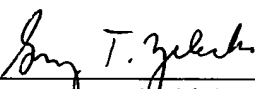
express mail mailing label, the original postcard and the original post office cash register receipt.

10. Petitioner is entitled to relief pursuant to 37 CFR 1.10, 37 CFR 1.53 and 37 CFR 1.181.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

ACCORDINGLY, petitioner, Jerome P. Frankowiak, requests that his application be accorded a filing date of February 20, 2004 and that his petition filing fee be refunded. Petitioner further requests any additional relief, agreeable to equity and good conscience, to which he may be entitled.

Respectfully,



Gregory T. Zalecki (29,994)
Attorney for Applicant

Dated: December 6, 2004



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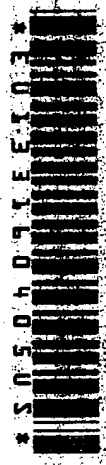
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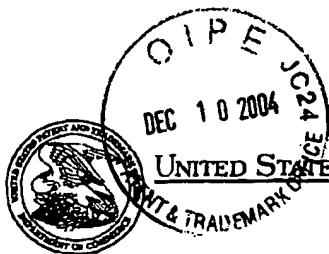
Applicant: Jerome P. Frankowiak Attorney: Gregory T. Zalecki

Title of Invention: Folding Framing Square

Serial No. _____ Filing Date 22858 U.S. PTO
10/783602

- Specification: No of Pages 18
- Claims: No. of Claims 16
- Drawings: No. of Sheets 5
- Declaration
- Information Disclosure Statement and References
- Power of Attorney
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- Fee Enclosed: Amount 385.00 Check no. 2733





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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/783,602	02/20/2004	Jerome P. Frankowiak	

CONFIRMATION NO. 1538

FORMALITIES LETTER



OC000000013995999

Gregory T. Zalecki
 Suite 401
 12900 Hall Road
 Sterling Heights, MI 48313

Date Mailed: 10/04/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The specification is missing.
- The specification does not include at least one claim.
A complete specification as prescribed by 35 U.S.C. 112 is required.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

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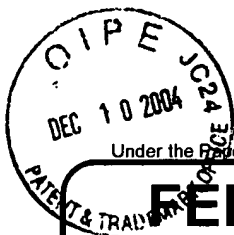
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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**130.00**

Complete if Known

Application Number **10/783,602**
Filing Date **February 20, 2004**
First Named Inventor **Jerome P. Frankowiak**
Examiner Name
Art Unit
Attorney Docket No.

METHOD OF PAYMENT (check all that apply)

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1003	550	2003	275	Plant filing fee	
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Fee Code	Fee (\$)	Fee Code	Fee (\$)	
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1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
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FEE CALCULATION (continued)

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1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
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1460	130	1460	130	Petitions to the Commissioner	130.00
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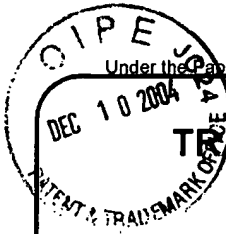
Name (Print/Type) **Gregory T. Zalecki** Registration No. **29,994** Telephone **(586) 254-6113**
Signature *Gregory T. Zalecki* Date **December 6, 2004**

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

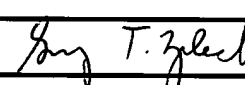
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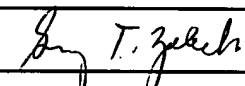
 <p>TRANSMITTAL FORM</p> <p>(to be used for all correspondence after initial filing)</p>	Application Number	10/783,602
	Filing Date	February 20, 2004
	First Named Inventor	Jerome P. Frankowiak
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	

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Firm Name			
Signature			
Printed name	Gregory T. Zalecki		
Date	December 6, 2004	Reg. No.	29,994

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IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

Title of Invention: Folding Framing Square

Name: Jerome P. Frankowiak

5 Citizenship: U.S.A.

Residence: 8809 Burnside Rd.

Brown City, MI 48416

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

BACKGROUND

[0001] A framing square is one of a carpenter's primary tools. It is an L-shaped tool consisting
5 of a body and a tongue joined at right angles. It usually contains calibrations imprinted upon the
tongue and the body. It has many carpentry applications. It can be used to lay out straight
cutting lines. It is indispensable for making proper angled cuts on roof rafters and stairs
stringers.

[0002] Typically, the body is 24 inches long and the tongue is 16 inches long. This results in a
10 tool which is large and cumbersome. Carpenters move about often on the job. The traditional
framing square is too large and cumbersome to be carried upon the body of the carpenter while
the carpenter moves about. As a result, the framing square is often lost and misplaced. It is not
unusual for a carpenter to spend significant time away from the carpenter's work area in order to
find and retrieve the framing square.

15 [0003] Most carpenters wear nail pouches while working. A nail pouch is a small sack like
device which fits around the waist of the carpenter. It is used to carry small tools and other
objects, such as nails. The traditional framing square will not fit within a nail pouch because of
the size and shape of the framing square.

[0004] There is a need for a foldable framing square which would fit within a nail pouch. This
20 would allow the carpenter to always carry a framing square on his or her person while working
on projects requiring the use of a framing square. The time and aggravation associated with

finding and retrieving a framing square when it is needed would be saved. The foldable framing square would also be easier to store within a toolbox or a bucket because it would fit within those storage devices.

[0005] Information relevant to an attempt to address this problem can be found in U.S. patent No. 5,669,149. The device described therein will not fit within a nail pouch, many toolboxes or a standard sized bucket. If its dimensions were shortened to allow it to fit within those storage devices, the reduced size would leave it too small for many uses.

SUMMARY

[0006] The present invention is directed to a device that satisfies this need. The device comprises a body, a tongue and a body extension. The body has a tongue end and a body extension end. It has a straight bottom edge. It also has a tongue end side edge and a body extension end side edge. The tongue end side edge is perpendicular to the bottom edge. The body has a channel for receiving the tongue.

[0007] The tongue has a straight outer edge. The tongue is shaped to fit within the channel. The tongue is pivotally attached proximal to the tongue end of the body such that the tongue can be pivoted into a closed position substantially recessed within the channel. The pivotal attachment is also adapted to allow the tongue to be pivoted into an open position such that the outer edge of the tongue and the tongue end side edge of the body are collinear. When in the open position the tongue and the body have the configuration of a traditional framing square.

[0008] The body extension has a straight bottom edge. The body extension is pivotally attached proximal to the body extension end of the body such that the body extension may be pivoted into an open position. While in such an open position the body extension bottom edge is

collinear with the bottom edge of the body. This effectively extends the length of the folding framing square body. The pivotal attachment, the body, the channel and the body extension are also adapted to permit the body extension to be pivoted into a closed position. In the closed position the body extension substantially overlaps the body, as shown in Figure 3.

5 [0009] An object of the invention is to provide a folding framing square which can be folded into a closed configuration for carrying within a nail pouch. Another object of the invention is to provide a folding framing square which can be unfolded into a fully operative framing square. The folding framing square as described attains these objectives. It can be folded into a compact rectangular unit which easily fits within a nail pouch. It can then be unfolded into an operative framing square.

10 [0010] Preferably, the body has a recess along its top edge. This will facilitate the grasping of the tongue when the tongue is within the channel of the body. The body and the tongue may also have distance calibrations imprinted upon them. The distance calibrations originate or terminate at either the vertex of the bottom edge of the body and outer edge of the tongue, while the tongue is in the open position, or, the vertex of the opposite edges of the body and the tongue, while the tongue is in the open position. Preferably, distance calibrations originate and terminate at both vertices.

15 [0011] Preferably, the folding framing square further comprises a spring loaded ball bearing, an open position body extension detent and a closed position body extension detent. The spring loaded ball bearing is positioned on the body extension end of the body. The open position body extension detent is shaped to receive the ball bearing. This detent is positioned on the body extension such that the body extension may be releasably locked into the open position. While

so locked the length of the body of the folding framing square is effectively lengthened. The closed position body extension detent is also shaped to receive the ball bearing. This detent is positioned on the body such that the body extension may be releasably locked into the closed position. While so locked the body extension does not extend the length of the body.

5 DRAWINGS

[0012] These and other features, aspects, and advantages of the present invention will become better understood with regard to the following description, appended claims, and accompanying drawings where:

10 [0013] Figure 1 is a perspective view of a folding framing square with the tongue and the body extension locked into an open position.

[0014] Figure 2 is a front view of the folding framing square of Figure 1 placed upon a workpiece.

[0015] Figure 3 is a front view of the folding framing square of Figure 1, wherein the tongue and the body extension have been folded into closed positions.

15 [0016] Figure 4 is a partially broken away view of the folding framing square of Figure 1 showing a spring forcing a lock into a cutout on the tongue, thereby locking the tongue into the open position.

[0017] Figure 5 is an exploded perspective view of the folding framing square of Figure 1.

[0018] Figure 6 is a front view of the tongue shown in Figure 5.

20 [0019] Figure 7 is a perspective view of the lock and spring shown in Figure 5.

[0020] Figure 8 is a front view of the bottom face of the body of the folding framing square of Figure 5.

[0021] Figure 9 is a front view of the spacer of the body of the folding framing square of Figure 5.

[0022] Figure 10 is a front view of the top face of the body of the folding framing square of Figure 5.

5 [0023] Figure 11 is a front view of the body extension of the folding framing square of Figure 5.

DESCRIPTION

[0024] The preferred embodiment of a folding framing square 20 is shown in Figure 1. This version of the folding framing square 20 is comprised of a body 22, a tongue 54, a body
10 extension 62, a lock 68, a spring 70 and a spring loaded ball bearing 72. The body 22 is fabricated from aluminum. Other materials such as steel and plastic may also be used. The body 22 is rectangular in shape. It has a tongue end 24 and a body extension end 26 on opposing sides. It has a straight bottom edge 28. Preferably, it has a straight top edge 30 which is parallel to the bottom edge 28. A tongue end side edge 32 and a body extension end side edge 34 define two
15 sides of the body 22. The straight bottom edge 28 and the straight top edge 30 define the other two sides of the body 22. The tongue end side edge 32 is perpendicular to the straight bottom edge 28. This allows the tongue end side edge 32 to form a right angle with the straight bottom edge 28 of the body 22, thereby taking the shape of the heel of a traditional framing square. Preferably, the body extension end side edge 34 is also perpendicular to the straight bottom edge
20 28 of the body 22, thereby facilitating the drawing of cutting lines upon a workpiece with this edge.

[0025] The body 22 has a channel 36 for receiving the tongue 54. In order to create the channel

36 the body 22 is comprised of a top face 38, a bottom face 42 and a spacer 46. The top face 38, the bottom face 42 and the spacer 46 are fabricated from aluminum and are rectangular in shape. The top face 38 has a lock guide 40 for receiving the lock 68, as shown in Figure 10. The bottom face 42 also has a lock guide 44 for receiving the lock 68, as shown in Figure 10. The spacer 46 has a channel opening 48. The channel opening 48 of the spacer 46 is shaped and sized to receive the tongue 54. The spacer 46 has a lock guide 50 and a spring receptacle 52 for holding the lock 68 and the associated spring 70. The spacer 46 is positioned between the top face 38 and the bottom face 42. The lock guides 40, 44 and 50 of the top face 38, the bottom face 42 and the spacer 46, respectively, are aligned with each other. The top face 38, the spacer 46 and the bottom face 42 are attached together, as shown in Figure 5, to form the body 22 and channel 36. During the attachment process the tongue 54 should also be pivotally attached to the body as shown in Figure 5 and as described below. Suitable fasteners such as rivets are used to attach the top face 38, the bottom face 42 and the spacer together.

[0026] The tongue 54 is rectangular in shape and has a straight outer edge 58. It is fabricated from the same material as the body 22. Preferably, it also has a straight inner edge 56 which is parallel to the straight outer edge 58 of the tongue 54. This will permit the inner edge 56 of the tongue 54 and the straight top edge 30 of the body 22 to form a right angle, thereby allowing these edges to function as the corresponding edges of a traditional framing square. The tongue 54 is shaped to fit within the channel 36 of the body 22. The tongue 54 is pivotally attached, as shown in Figure 5, to the tongue end 24 of the body 22 such that the tongue 54 can be pivoted into a closed position or an open position. In the closed position the tongue 54 is substantially recessed within the channel 36 as shown in Figure 3. In the open position the straight outer edge

58 of the tongue 54 and the tongue end side edge 24 of the body 22 are collinear, as shown in Figure 2. In this open position the tongue 54 and the body 22 are configured as a framing square. The tongue 54 has a cutout 60 at its pivotally attached end for receiving the lock 68. The tongue 54 is pivotally attached to the tongue end 24 of the body 22 with a suitable fastener such as a rivet, a pivot pin or a Chicago screw.

[0027] The body extension 62 is fabricated from the same material as the body 22. It has a straight bottom edge 64. Preferably, it has a straight top edge 66 and has the same width dimension as the body 22. Thus, it would be capable of linearly extending both the straight bottom edge 28 and the straight top edge 30 of the body 22. The body extension 62 is pivotally attached proximal to the body extension end 26 of the body 22, as shown in Figure 5, such that the body extension 62 may be pivoted into an open position or into a closed position. In the open position the body extension bottom edge 64 is collinear with the bottom edge 28 of the body 22, as shown in Figure 2, thereby effectively extending the body length of the folding framing square 20. In the closed position the body extension 62 substantially overlaps the body 22, as shown in Figure 3. When the tongue 54 and the body extension 62 are folded into closed configurations, as shown in Figure 3, the folded framing square may be easily carried within a nail pouch or placed within a toolbox. When the tongue 54 and the body extension 62 are folded into open configurations, as shown in Figure 2, the unfolded framing square 20 functions as an operative framing square. The body extension 62 is pivotally attached to the body extension end 26 of the body 22 with a suitable fastener such as a rivet, a pivot pin or a Chicago screw.

[0028] The lock 68 is shaped to fit within the cutout 60 of the tongue 54. It is positioned within the lock guides 40, 44, 50 of the body 22. The spring 70 is positioned within the lock

receptacle 52 of the body 22 below the lock 68 such that the spring 70 will force the lock 68 into the cutout 60 of the tongue 54 when the tongue 54 and the body 22 are perpendicular. When the tongue 54 and the body 22 are locked into a perpendicular position the tongue 54 and the body 22 function as an operative framing square. The tongue 54 may be unlocked from the body 22 by depressing the lock 68, thereby freeing the tongue 54 for pivotal movement about its attachment point to the body 22.

[0029] In order to allow the body extension 62 to be locked into an open position or into a closed position a spring loaded ball bearing 72 is positioned on the body 22 and two detents 76, 78 are formed onto the body extension 62. The spring loaded ball bearing 72 is positioned on the body extension end 26 of the body 22, facing the body extension 62. The spring loaded ball bearing 72 is forced outward from the body 22 by a ball bearing spring 74. An open position body extension detent 78 is shaped to receive the spring loaded ball bearing 72 and is positioned on the body extension 62 such that the body extension may be releasably locked into the open position by the spring loaded ball bearing 72. A closed position body extension detent 76 is shaped to receive the spring loaded ball bearing 72 and is positioned on the body extension 62 such that the body extension 62 may be releasably locked into the closed position by the spring loaded ball bearing 72.

[0030] Preferably, the body 22 has a recess 37 centered along its top edge 30. The recess 37 facilitates the grasping of the tongue 54 when the tongue 54 is within the channel 36 of the body 22, thus making it easier to move the tongue 54 from the closed position to the open position. The body 22 and the tongue 54 may also have distance calibrations 53 imprinted upon them. The distance calibrations 53 originate or terminate at either the vertex of the bottom edge 28 of the

body 22 and outer edge 58 of the tongue, while the tongue 54 is in the open position, or, the vertex of the opposite edges 30, 56 of the body 22 and tongue 54, while the tongue 54 is in the open position. The distance calibrations 53 may originate and terminate at both vertices. The distance calibrations 53 facilitate laying out straight measured cutting lines and making proper angled cuts on roof rafters and stairs stringers.

[0031] When it is desired to store or carry the folding framing square 20, the tongue 54 is folded into the closed position into the channel 36 of the body 22, as shown in Figure 3. The tongue 54 may be unlocked by depressing the lock 68. The body extension 62 is folded into the locked position such that the body extension 62 does not extend the length of the body 22, as shown in Figure 3. A small manual force will be required to release the spring loaded ball bearing 72 from the open position body extension detent 78.

[0032] When it is desired to use the folding framing square 20, the tongue 54 is locked into the open position perpendicular to the body 22 and the body extension 62 is locked into the open position, such that the straight bottom edge 64 of the body extension 62 is collinear with the straight bottom edge 28 of the body 22, as shown in Figure 1. The tongue 54 may be easily pivoted out of the channel 36 by grasping the tongue 54 at the recess 37 of the body 22. When the tongue 54 is moved into a position perpendicular to the body 22, the spring 70 will force the lock 68 into the cutout 60 of the tongue 54, thereby locking the tongue 54 perpendicular to the body 22 forming an operative framing square. If the body extension 62 is locked in the closed position a small manual force will release the closed position body extension detent 76 from the spring loaded ball bearing 72, thereby permitting the body extension to be rotated into the open position, as shown in Figure 1. When the body extension 62 reaches the open position the spring

loaded ball bearing will enter the open position body extension detent 78 and lock the body extension 62 such that it extends the length of the body 22.

[0033] When the tongue 54 is locked into the open position the folding framing square 20 functions as an operative framing square. It may be placed upon a workpiece 80 for drawing straight lines thereon, as shown in Figure 2. It may also be used to perform all other functions performed by a traditional framing square.

[0034] The primary advantage of the folding framing square is that it may be folded into a small compact unit which will easily fit within a carpenter's nail pouch, a toolbox, a bucket or other container. Thus a carpenter can easily carry the folded framing square on his or her person while moving about the workplace. When a job requires the use of a framing square, the folded framing square may be unfolded and used as a fully operative framing square.

[0035] Although the invention has been shown and described with reference to certain preferred embodiments, those skilled in the art undoubtedly will find alternative embodiments obvious after reading this disclosure. With this in mind, the following claims are intended to define the scope of protection to be afforded the inventor, and those claims shall be deemed to include equivalent constructions insofar as they do not depart from the spirit and scope of the present invention.

CLAIMS

What is claimed is:

1. A folding framing square comprising:

- 5 (a) a body having a tongue end, a body extension end, a straight bottom edge, a tongue end side edge, a body extension end side edge, the tongue end side edge being perpendicular to the bottom edge, and a channel;
- 10 (b) a tongue having a straight outer edge, said tongue being shaped to fit within the channel, said tongue being pivotally attached proximal to the tongue end of the body such that the tongue can be pivoted into a closed position substantially recessed within the channel and can also be pivoted into an open position such that the outer edge of the tongue and the tongue end side edge of the body are collinear; and
- 15 (c) a body extension having a straight bottom edge, the body extension being pivotally attached proximal to the body extension end of the body such that the body extension may be pivoted into an open position wherein the body extension bottom edge is collinear with the bottom edge of the body and the body extension may be pivoted into a closed position wherein the body extension substantially overlaps the body, whereby the folding framing square can be folded into a closed configuration for carrying within a nail pouch and can be unfolded into an
- 20 operative framing square.

2. The folding framing square of claim 1 wherein the body has a recess along its top edge for facilitating the grasping of the tongue when the tongue is within the channel of the

body.

3. The folding framing square of claim 1 further comprising distance calibrations imprinted thereon.

4. The folding framing square of claim 2 further comprising distance calibrations imprinted thereon.

5. The folding framing square of claim 1 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the open position by the spring loaded ball bearing; and
- (c) a closed position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the closed position.

6. The folding framing square of claim 2 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the open position; and
- (c) a closed position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the closed position by the spring loaded ball bearing.

7. The folding framing square of claim 3 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the open position by the spring loaded ball bearing; and
- (c) a closed position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the closed position by the spring loaded ball bearing.

8. The folding framing square of claim 4 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the open position by the spring loaded ball bearing; and
- (c) a closed position body extension detent, shaped to receive the ball bearing, positioned on the body extension such that the body extension may be releasably locked into the closed position by the spring loaded ball bearing.

9. A folding framing square comprising:

- (a) a body having a tongue end, a body extension end, a straight bottom edge, a tongue end side edge, a body extension end side edge, the tongue end side edge being perpendicular to the bottom edge, and a channel, said body comprising a top face having a lock guide, a bottom face having a lock guide, a spacer having a channel opening, a lock guide and a spring receptacle, said spacer being between the top face and the bottom face and said spacer being attached to the top face and

the bottom face, said lock guides being in alignment with each other;

(b) a tongue having a straight outer edge, said tongue being shaped to fit within the channel, said tongue being pivotally attached proximal to the tongue end of the body such that the tongue can be pivoted into a closed position substantially recessed within the channel and can also be pivoted into an open position such that the outer edge of the tongue and the tongue end side edge of the body are collinear, said tongue having a cutout at its pivotally attached end for receiving a lock;

(c) a body extension having a straight bottom edge, the body extension being pivotally attached proximal to the body extension end of the body such that the body extension may be pivoted into an open position wherein the body extension bottom edge is collinear with the bottom edge of the body and the body extension may be pivoted into a closed position wherein the body extension substantially overlaps the body, whereby the folding framing square can be folded into a closed configuration for carrying within a nail pouch and can be unfolded into an operative framing square;

(d) a lock, shaped to fit within the cutout of the tongue, positioned within the lock guides; and

(e) a spring positioned within the lock receptacle below the lock such that the spring will force the lock into the cutout of the tongue when the tongue and the body are perpendicular.

10. The folding framing square of claim 9 wherein the body has a recess along its top edge

for facilitating the grasping of the tongue when the tongue is within the channel of the body.

11. The folding framing square of claim 9 further comprising distance calibrations imprinted thereon.

5 12. The folding framing square of claim 10 further comprising distance calibrations imprinted thereon.

13. The folding framing square of claim 9 further comprising:

(a) a spring loaded ball bearing positioned on the body extension end of the body;

(b) an open position body extension detent, shaped to receive the ball bearing,
10 positioned on the body extension such that the body extension may be releasably locked into the open position by the spring loaded ball bearing; and

(c) a closed position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably locked into the closed position by the spring loaded ball bearing.

15 14. The folding framing square of claim 10 further comprising:

(a) a spring loaded ball bearing positioned on the body extension end of the body;

(b) an open position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably locked into the open position by the spring loaded ball bearing; and

20 (c) a closed position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably locked into the closed position by the spring loaded ball bearing.

15. The folding framing square of claim 11 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably
5 locked into the open position by the spring loaded ball bearing; and
- (c) a closed position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably
locked into the closed position by the spring loaded ball bearing.

16. The folding framing square of claim 12 further comprising:

- (a) a spring loaded ball bearing positioned on the body extension end of the body;
- (b) an open position body extension detent, shaped to receive the ball bearing,
positioned on the body extension such that the body extension may be releasably
10 locked into the open position by the spring loaded ball bearing; and
- (c) a closed position body extension detent, shaped to receive the ball bearing,
15 positioned on the body extension such that the body extension may be releasably
locked into the closed position by the spring loaded ball bearing.

ABSTRACT OF THE DISCLOSURE

A folding framing square comprising a body, a tongue and a body extension is disclosed.

The tongue and the body extension are pivotally attached to opposite ends of the body. The tongue and the body extension may be folded into a closed position forming a small rectangular

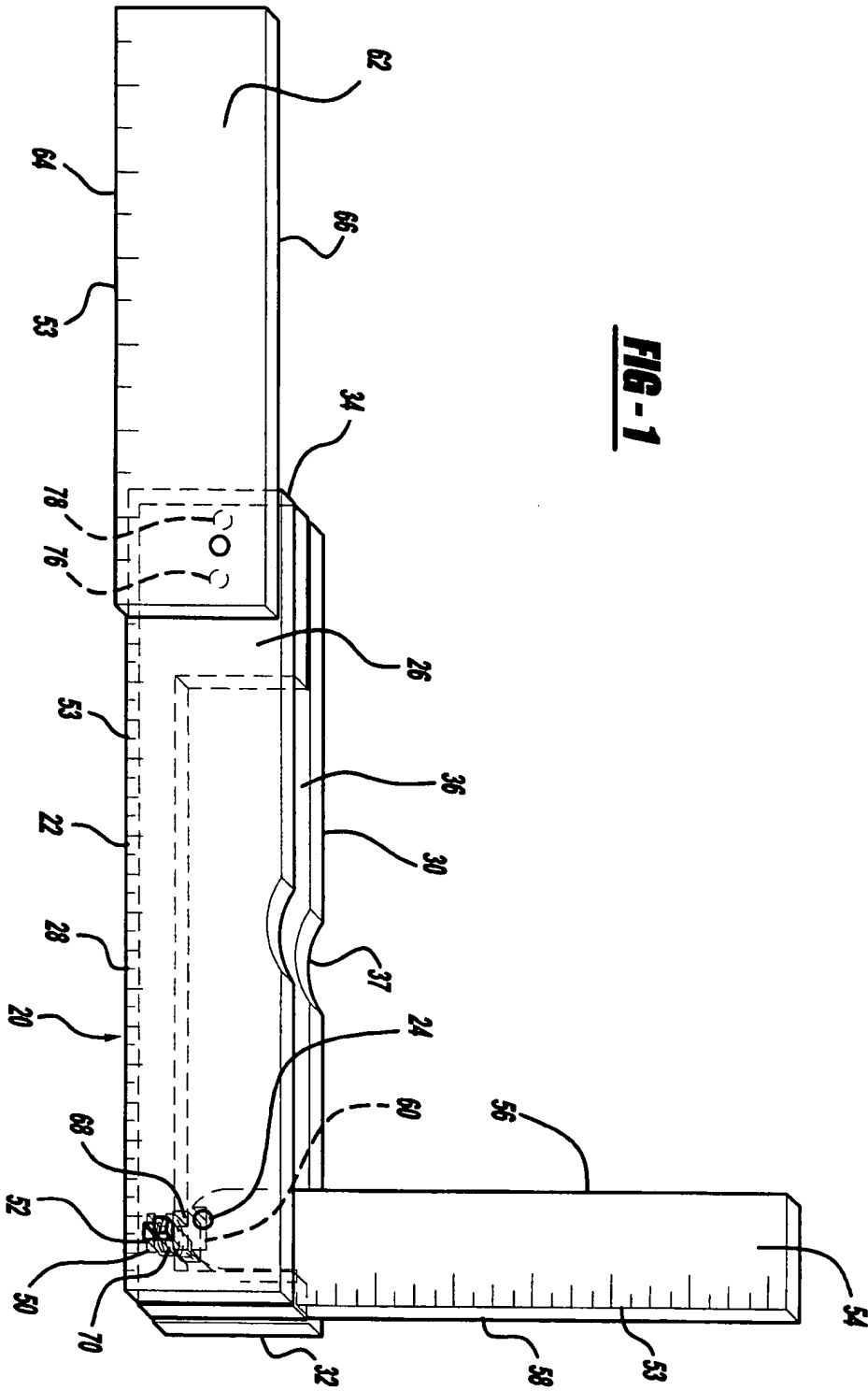
5 easily carryable unit. The tongue and the body extension may also be folded and locked into an open position forming an operative framing square.



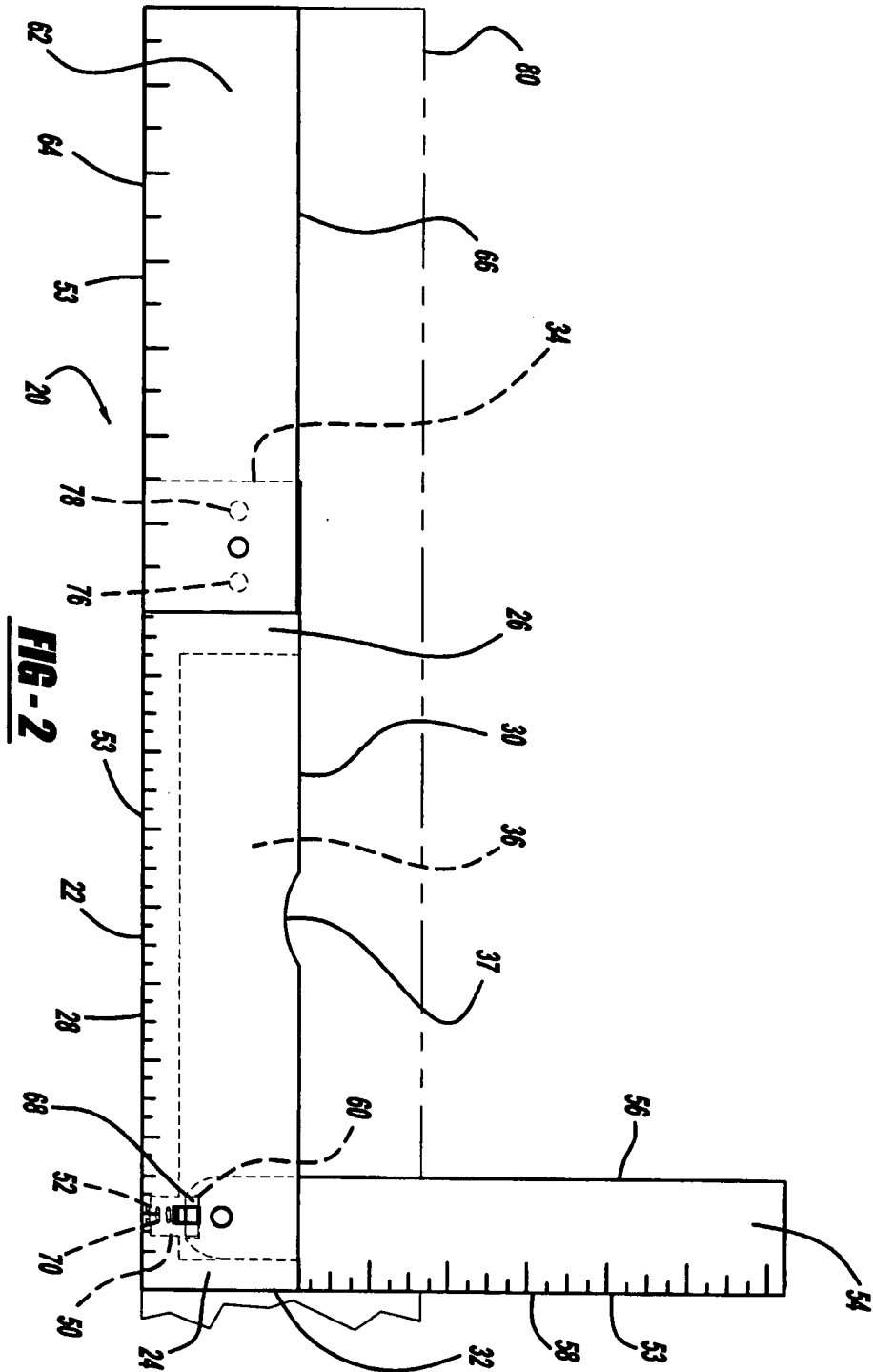
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1/5

FIG-1



2/5



3/5

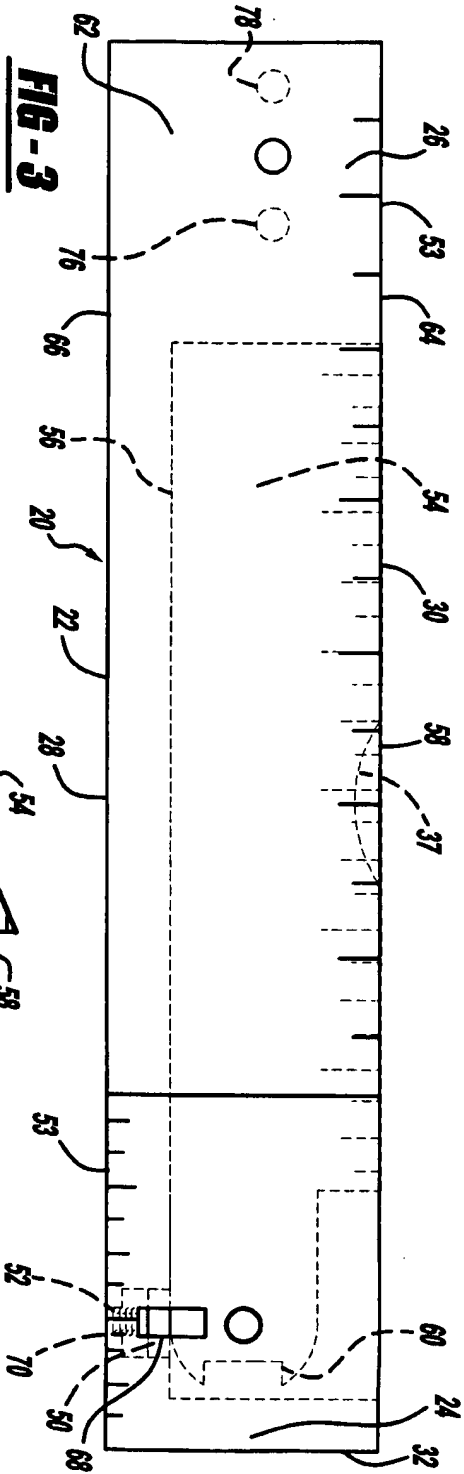


FIG-3

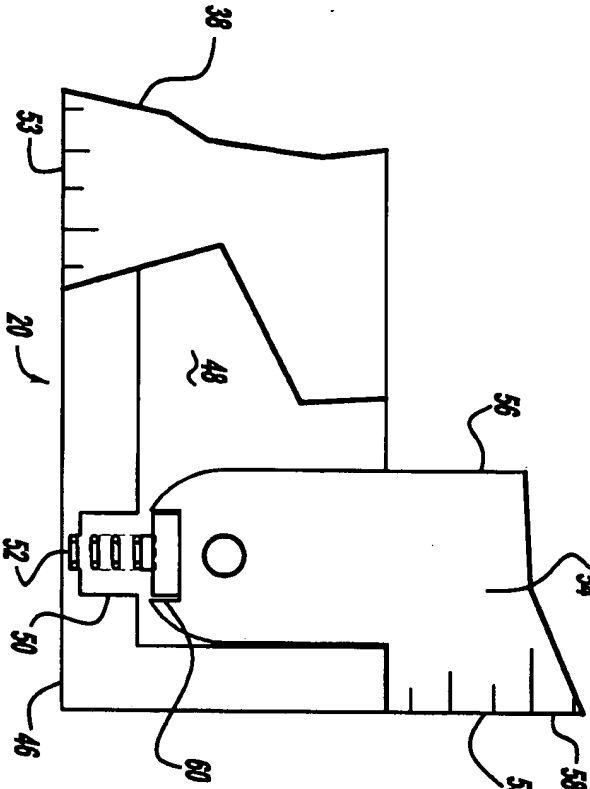
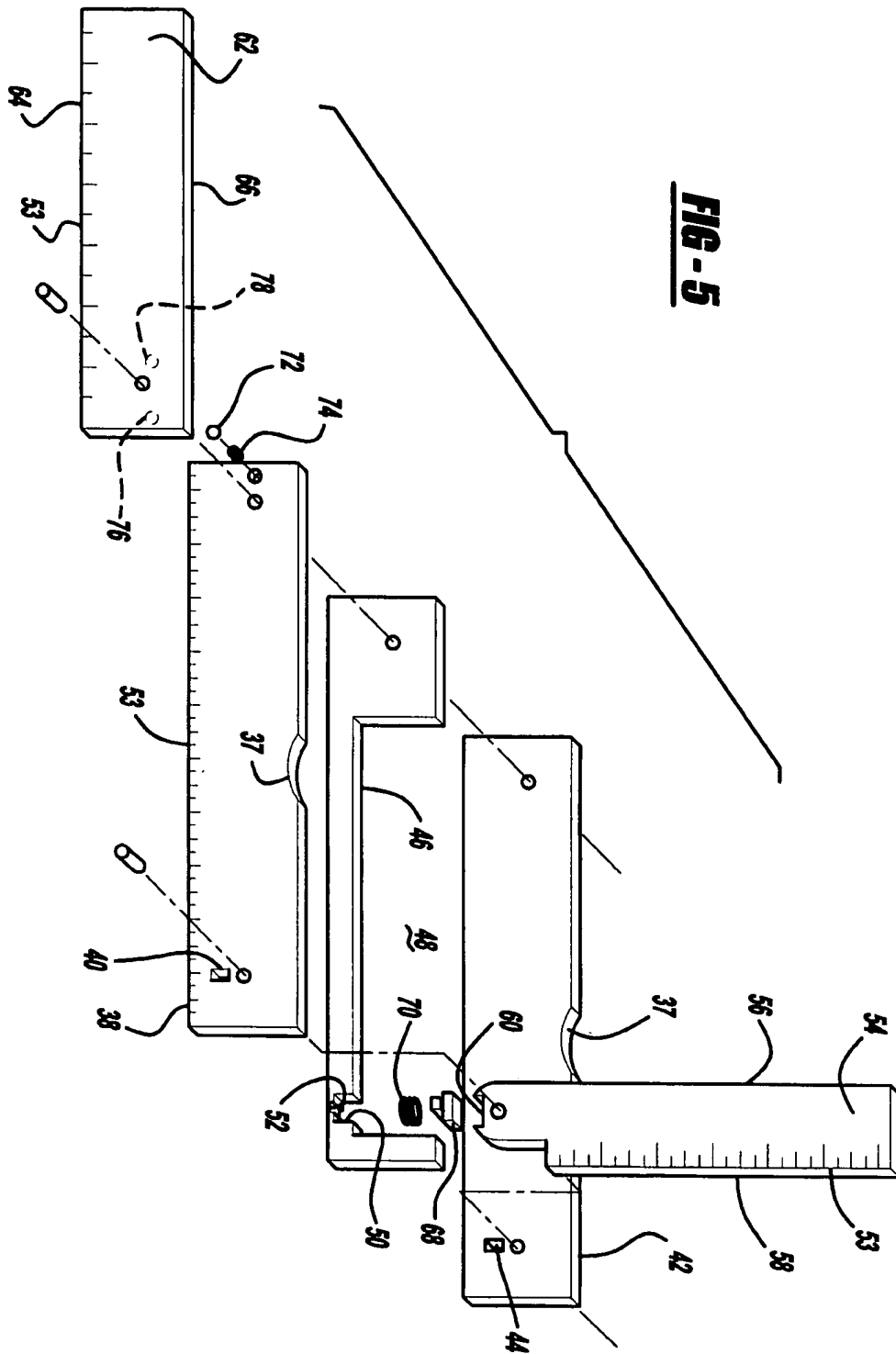


FIG-4



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5/5

FIG - 6

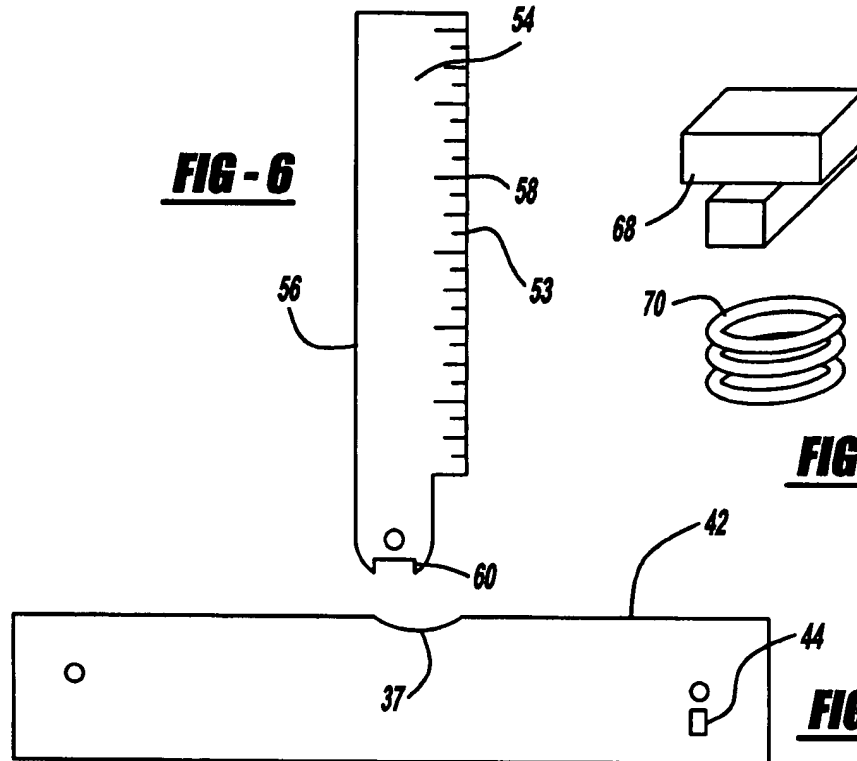


FIG - 7

FIG - 8

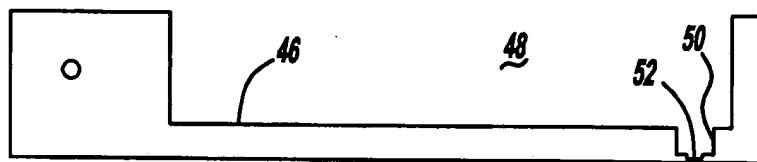


FIG - 9

FIG - 10

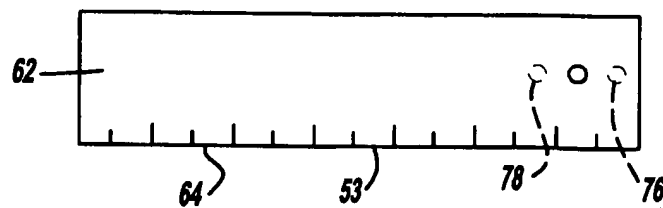
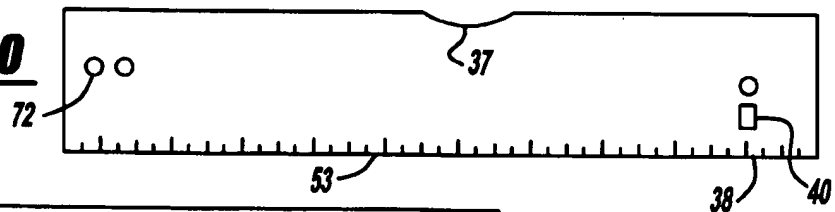
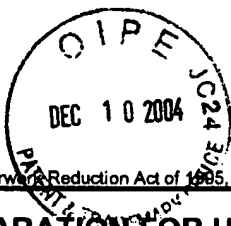


FIG - 11



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(37 CFR 1.16 (e))
required)

Attorney Docket Number

First Named Inventor

Jerome P. Frankowiak

COMPLETE IF KNOWN

Application Number

Filing Date

Art Unit

Examiner Name

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Folding Framing Square

(Title of the Invention)

the specification of which



is attached hereto

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Application Number

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I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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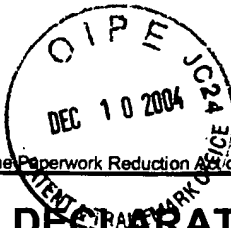
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
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☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

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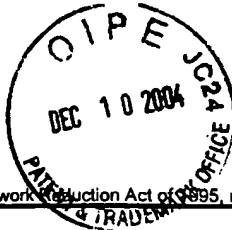


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Address 12900 Hall Road, Suite 401					
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Country USA		Telephone (586) 254-6113		Fax (586) 254-6197	
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NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jerome P.				Family Name or Surname Frankowiak	
Inventor's Signature <i>Jerome P Frankowiak</i>				Date February 20, 2004	
Residence: City Brown City		State MI		Country USA	Citizenship USA
Mailing Address 8809 Burnside Rd.					
City Brown City		State MI		ZIP 48416	Country USA
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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First Named Inventor	Jerome P. Frankowiak
Title	Folding Framing Square
Art Unit	
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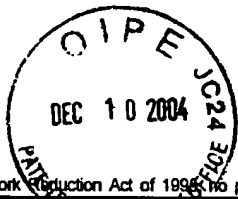
Name	Jerome P. Frankowiak		
Signature			
Date	February 20, 2004	Telephone	(810) 346-3678

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

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(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**

Docket Number (Optional)

Applicant, Patentee, or Identifier: Jerome P. Frankowiak

Application or Patent No.: _____

Filed or Issued: _____

Title: Folding Framing Square

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Jerome P. Frankowiak

NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Jerome P. Frankowiak
Signature of inventor

Signature of inventor

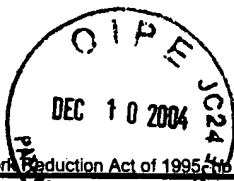
Signature of inventor

February 20, 2004

Date

Date

Date



PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

385.00

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Jerome P. Frankowiak
Examiner Name	
Art Unit	
Attorney Docket No.	

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	385.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	16	Extra Claims	Fee from below	Fee Paid
Independent Claims	2	-20** =	9.00	
Multiple Dependent		-3** =	43.00	

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

(Complete if applicable)

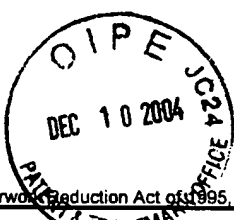
Name (Print/Type)	Gregory T. Zalecki	Registration No. (Attorney/Agent)	29,994	Telephone	(586) 254-6113
Signature	<i>Gregory T. Zalecki</i>	Date	February 20, 2004		

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

First Inventor

Jerome P. Frankowiak

Title

Folding Framing Square

Express Mail Label No.

EU133160405US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 18]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 5]
5. Oath or Declaration [Total Sheets 2]
 - a. ☒ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: _____ OR ☒ Correspondence address below

Name **Gregory T. Zalecki**

Address **12900 Hall Road, Suite 401**

City **Sterling Heights**

State **MI**

Zip Code **48313**

Country **USA**

Telephone **(586) 254-6113**

Fax **(586) 254-6197**

Name (Print/Type) **Gregory T. Zalecki**

Registration No. (Attorney/Agent) **29,994**

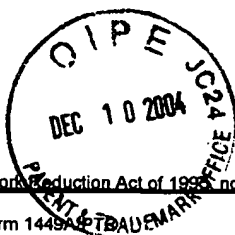
Signature

Gregory T. Zalecki

Date **February 20, 2004**

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Substitute for form 1449A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	
Filing Date	
First Named Inventor	Jerome P. Frankowiak
Art Unit	
Examiner Name	
Attorney Docket Number	

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-5,669,149	September 23, 1997	Meitzler	
		US-			
		US-			
		US-			
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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